IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

Crl.Rev.Pet.No. 816 of 2000(A)

(JUDGMENT OF THE SESSIONS COURT, THRISSUR IN CRL. RP NO. 46/00 DATED 20/07/00 (IN JUDGMENT DT. 18/3/00 OF THE JUDICIAL MAGISTRATE OF THE IST CLASS COURT, THRISSUR IN ST NO.1863/1996)

REVN. PETITIONER/IST RESPONDENT/ACCUSED:

M.SIVAKUMAR, S/O. VEDAMEGHAN PILLAI,
THOPPUMPARAMBIL HOUSE, X/1547,
PATTALAM ROAD, THRISSUR.

BY ADV. SRI.P.R.SHAJI

RESPONDENTS/REV. PETITIONER/COMPLAINANT/STATE:

1. **P.K. SIMON, S/O. KOCHAPPAN, PUTHURTHARAYIL HOUSE, EAST FORT P.O., THRISSUR – 680005.**

2. **STATE OF KERALA, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. C.K.SURESH
ADV. SRI.P.K.ABOOBACKER(EDATHALA) --- R1

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 10/07/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CMP NO. 4318/2000 IN CRL.RP NO. 816/2000 A.

DISMISSED

10/07/2007. SD/- K.R.UDAYABHANU, JUDGE.

TRUE COPY

K.R. UDAYABHANU, J.

CRL.R.P.NO. 816 OF 2000-A

DATED THIS THE 10th July 2007

ORDER

The revision petitioner is the accused in S.T.No. 1863/1996 in the file of the Judicial Magistrate of First Class-III, Thrissur who stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court to pay a compensation of Rs.25,000/- and out of which, if realised, Rs.22,000/- is to be paid to the complainant and the balance to be credited to the State and in default to undergo simple imprisonment for three months. The revision petitioner has only sought for modification of the sentence.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.22,000/- to the complainant and in default to undergo simple imprisonment for three months. The revision petitioner is granted three months time to remit the compensation amount. He shall appear before the Judicial First Class Magistrate - III, Thrissur on 15-10-2007 to receive sentence. The Crl.revision petition is disposed of accordingly.

ks. **K.R.UDAYABHANU, JUDGE**

K.R.UDAYABHANU, J

CRL.R.P.NO. 816 OF 2000

ORDER

10-7-2007